IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: Theodore F. Emerson et al. §	Confirmation No.:	1914
§		
Serial No.: 10/611,403 §	Group Art Unit:	2628
§		
Filed: 07/01/2003 §	Examiner:	Hau H. Nguyen
§		
For: Operating System §	Docket No.:	200304331-2
Independent Method And §		
Apparatus For Graphical §		
Remote Access §		

REPLY BRIEF

Mail Stop Appeal Brief – Patents   Date: January 29, 2010
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer dated December 3, 2009, Appellants submit this Reply Brief for further consideration by the Board. Appellants stand behind all arguments made in their main Brief and offer the following comments in response to some points made by the Examiner in the Answer.

As explained in Appellants' main Brief, claim 1 (and similar limitations in the other independent claims) requires "periodically reading the contents of each one of the blocks over a number of passes, wherein each pass reads a different fraction of all the blocks." Claim 1 further requires the computation of a unique value for the blocks that are read in each pass. Per claim 1, not all blocks are read with each pass and thus a unique value is not computed for each block in each pass. Subsequent passes read the other blocks and compute unique values of those blocks until eventually all blocks have been read and have had unique values computed. Appellants specification explains that "[i]nstead of reading each block of the frame buffer, a fraction of the frame buffer may be read, such as every fourth block." Page 3 lines 29-29. See also p. 19 lines 5-12 ("For example, every second, third, fourth (as indicated by 'X'), etc. pixel block 200 can

be read as illustrated in Figure 11A."). Thus, one of ordinary skill in the art would understand claim 1 requires reading some, but not all, blocks during each pass.

Appellants respectfully submit that the Examiner has misunderstood the scope of claim 1. The Examiner used Frederick for the claim limitation that in each pass, a different fraction of the blocks is read. In Frederick, the Examiner noted that in each pass, one row of pixels of each multi-row block is used to compute a metric. Thus, the Examiner evidently contends that reading one row of, for example, an 8-row block represents the claimed "fraction" (one-eighth of the rows of each block). The Examiner has misunderstood the claim which, as explained above, requires not all blocks to be read with each pass. For example, in some embodiments, one out of every four blocks is read in a given pass. Moreover, the claimed "fraction" applies to the blocks as whole, not rows within a block. Specifically, the claim requires "the processor periodically reading, from a buffer, the contents of each one of the blocks over a number of passes, wherein each pass reads a different fraction of all the blocks." Frederick has no such teaching. Instead, in Frederick every block is read with each pass (albeit perhaps only one row within each block).

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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